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Agenda item 24
Return or restitution of cultural property to the countries of origin

Afghanistan, Azerbaijan, Bangladesh, Cambodia, Cameroon, Chad, Costa Rica, Cyprus, Czech Republic, Democratic Republic of the Congo, Egypt, Gabon, Greece, Guatemala, Guinea, Hungary, Lebanon, Malawi, Mali, Mongolia, Republic of Korea and the former Yugoslav Republic of Macedonia: draft resolution

Return or restitution of cultural property to the countries of origin

The General Assembly,

Reaffirming the relevant provisions of the Charter of the United Nations,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 35/128 of 11 December 1980, 36/64 of 27 November 1981, 38/34 of 25 November 1983, 40/19 of 21 November 1985, 42/7 of 22 October 1987, 44/18 of 6 November 1989, 46/10 of 22 October 1991, 48/15 of 2 November 1993, 50/56 of 11 December 1995 and 52/24 of 25 November 1997,

Recalling the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at The Hague on 14 May 1954,

Recalling the Unidroit Convention on Stolen or Illegally Exported Cultural Objects, adopted at Rome on 24 June 1995,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property[1] adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

[1] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Sixteenth Session*, vol. 1, *Resolutions*, p. 135.

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Taking note with satisfaction of the report of the Secretary-General submitted in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,[2]

Aware of the importance attached by the countries of origin to the return of cultural property which is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

Expressing concern about the loss, destruction, damage, removal, theft, pillage or misappropriation of and any acts of vandalism directed against cultural property in areas of armed conflict,

Expressing concern about the illicit traffic of cultural property and its damages on the cultural heritage of nations,

1. *Commends* the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property, the reduction of illicit traffic in cultural property and the dissemination of information to the public;

2. *Reaffirms* the importance of the provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at The Hague on 14 May 1954, and invites Member States which have not already done so to become parties to the Convention and facilitate its implementation;

3. *Welcomes* the adoption of the Second Protocol to the Convention, adopted at The Hague on 26 March 1999, and invites States Parties to the Convention which have not yet signed the Second Protocol to the Convention to consider becoming parties to it;

4. *Reaffirms also* the importance of the provisions of the Unidroit Convention on Stolen or Illegally Exported Cultural Objects,[2] adopted at Rome on 24 June 1995 and invites those Member States which have not already done so to consider becoming parties to it;

5. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system and other relevant intergovernmental organizations to work in coordination with the United Nations Educational, Scientific and Cultural Organization, within their mandates and in cooperation with Member States, in order to continue to address the issue of return or restitution of cultural property to the countries of origin, and to provide appropriate support accordingly;

6. *Invites* Member States to continue drawing up, in cooperation with the United Nations Educational, Scientific and Cultural Organization, systematic inventories of their cultural property, including movable cultural property;

7. *Requests* the Secretary-General, in collaboration with the United Nations Educational, Scientific and Cultural Organization, to continue to develop all possibilities for bringing about the attainment of the objectives of the present resolution and to consider any further initiatives aiming at its implementation;

8. *Commends* the efforts of the United Nations Educational, Scientific and Cultural Organization to encourage the linking of existing databases and identification systems, such as that developed by the International Criminal Police Organization, to allow for electronic

[2] A/54/436.

transmission of information concerning stolen cultural property, including those removed from areas of conflict and territories that are occupied;

9. *Also requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its fifty-sixth session a report on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its fifty-sixth session the item entitled "Return or restitution of cultural property to the countries of origin".